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January 19, 2006

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
Christopher R. Dillon

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**BY HAND DELIVERY**

Ms. Sandra Holahan, Clerk  
United States District Court  
for the District of Massachusetts  
United States Courthouse  
One Courthouse Way  
Boston, Massachusetts 02210

Re: *ARY Jewelers, LLC v. IBJTC Business Credit Corp. and David Molinario*, C.A. No. 04-cv-10281-EFH

Dear Ms. Holahan:

After the argument today, Mr. Carrigan and Mr. Fischler observed that the Judge might have been left with the misimpression that this matter was set for a jury trial. Neither party has made a jury demand, and both Mr. Carrigan and Mr. Fischler agree that, if there is a trial, it will be a bench trial. We would appreciate if you would pass this information along to chambers.

Very truly yours,

Christopher R. Dillon

Enclosure

cc: Stephen P. Carrigan (counsel for plaintiff)